REMARKS/ARGUMENTS

Claims 1-8, 16-23, 31-32, 35-36 and 44-56 are pending and at issue in the application. Included with this response is a terminal disclaimer and the required fee therefor. This response is timely filed as it is being filed within the three month response period. Applicants respectfully request consideration of the following remarks.

Double Patenting Rejection

Claims 1-8, 16-23, 31-32, 35-36 and 44-56 stand rejected on the grounds of non-statutory, obviousness-type double patenting over claims 1-11 of commonly owned U.S. Patent No. 5,682,476 in view of McCain et al. (U.S. Patent No. 6,129,449) and Eidson et al. (U.S. Patent No. 5,586,305). Applicants provide herewith a terminal disclaimer with respect to commonly owned U.S. Patent No. 5,682,476. Therefore, the applicants respectfully request withdrawal of the non-statutory, obviousness-type double patenting rejection.

Request for Consideration of Withdrawn Claims

Claims 9-15, 24-30 and 37-43 have been withdrawn from consideration in this case due to an election of species requirement, as being associated with a non-elected species disclosed within the application and covered by the generic claims. Upon allowance of claims 1-8, 16-23, 31-32, 35-36 and 44-56, each of dependent claims 9-15, 24-30 and 37-43 will be allowable over the prior art as depending from an allowable base claim. Applicants therefore respectfully request, pursuant to MPEP § 806.04, that the Office now consider withdrawn claims 9-15, 24-30 and 37-43 as being directed to a reasonable set of species of the allowed generic claims, and indicate the allowability of these claims.

Conclusion

For the forgoing reasons, the applicants respectfully submit that the claims are in condition for allowance. The Commissioner is hereby authorized to charge any additional fees to the undersigned's Deposit Account No. 13-2855 under charge number 06005/34696A.

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Respectfully submitted,

By _____

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